



STATE OF WASHINGTON
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

Mailing Address: PO Box 40903, Olympia, WA 98504-0903

Physical Address: 1111 Israel Rd. SW, Tumwater, WA 98501

ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

Minutes of Meeting

February 15, 2012

1:30 p.m.

The February 15, 2012 meeting was called to order by Chair Kathleen Mix in the Boards' office in Tumwater, Washington. Present were Chair Kathleen Mix, Board Members Bill Lynch and Tom McDonald, Administrative Appeals Judge Kay Brown, Robyn Bryant, Janet Buechler, Paulette Yorke, and Vanessa Smith, and Nina Carter from Growth Management Hearings Board. Minutes of the January 10, 2012 meeting were read and approved.

Reports which included the number and type of pollution and shoreline appeals filed, a brief summary of all cases that have closed, and the Case Statistics Report were handed out.

Appellate Report

Janet Buechler reported that there were four Superior Court appeals filed since the last meeting: *Beatty v. WDFW*, *Squaxin Island Tribe v. WDFW, et al.*; *Snohomish County Farm Bureau, et al. v. WSDOT, et al.*; and *Protect the Peninsula's Future, et al. v. ORCAA, et al.*

Vanessa Smith indicated that GMHB has received nine Superior Court appeals in the last month.

Budget Update

A budget update was given by Kathy Mix. The revenue forecast and supplemental budget have not yet come out and there can be no specific budget updates until then. Further cuts are anticipated.

Legislative Update

Bill Lynch reported that a large number of fiscal notes have been completed in the last few weeks and that the current legislative session ends on March 8th.

Rulemaking

Kay Brown presented the rules revisions for a vote. Minutes of the rulemaking discussion and vote are attached hereto and incorporated herein.



Executive Ethics Act

Kathy reminded all present of the prohibition use of state resources for political or personal purposes or performance of any political or personal business on state government time.

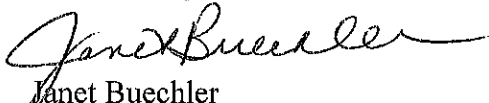
GMHB Vacancies

Nina Carter discussed the timeline for the filling of the current GMHB Board vacancies.

Miscellaneous

Changes to various forms and procedures were discussed, several of which will be implemented by the staff.

Meeting adjourned.


Janet Buechler
Administrative Secretary

Minutes for the Board Meeting on February 15, 2012

The Environmental and Land Use Hearings Office (ELUHO) met on February 15, 2012 to consider the repeal of WAC Ch. 198-12, which is the EHO's old public records rules. These rules have been replaced with WAC Ch. 198-14, the ELUHO public records rules. The Board also considered edits to WAC 371-08-320, 371-08-325, and 198-09-010 to update the name and address of ELUHO.

The members of ELUHO participating in the meeting were Kathleen D. Mix, Director, William H. Lynch, Pollution Control Hearings Board Member, Tom McDonald, PCHB Member, and Nina Carter, Growth Management Hearing Board Member. All members were provided with a copy of the proposed rules to be repealed, and the rules with proposed changes.

Administrative Appeals Judge Kay Brown provided the Board Members a brief overview of the purpose of the rule repealers and the rule edits. Kathleen Mix noted that the caption of the WAC 371-08-320 still contained a reference to Environmental Hearings Office, and requested that this be changed.

Following the presentation and time for questions, William Lynch moved for adoption of the repeal of WAC 198-14, and the edits to WAC 371-08-320, 371-08-325, and 198-09-010, which was seconded by Kathleen Mix. Board Chair Mix conducted the vote. The Boards unanimously adopted the rule repealers and rule edits.